

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

April 3, 2007

In the Matter of
Getty 30655

Docket No. 2007-007
File No. RPAN-BO-06-7141
Brockton

RECOMMENDED FINAL DECISION

This matter concerns the issuance of a Notice of Intent to Assess a Civil Administrative Penalty of five hundred dollars. This office received a transmittal sheet, along with copies of the records of the petitioner's payment. It shows the petitioner did not request an adjudicatory hearing, but paid the five hundred dollar civil administrative penalty.

I recommend this appeal be dismissed as moot pursuant to 310 CMR 1.01(5)(a)(15.f.iii, as the penalty assessed has been paid in full.

NOTICE

This decision is a Recommended Final Decision of the Presiding Officer. It has been transmitted to the Commissioner for her final decision in this matter. This decision is therefore not a Final Decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be appealed to Superior Court pursuant to M.G.L. c.30A. The Commissioner's Final Decision is subject to rights and reconsideration and court appeal and will contain a notice to that effect.

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD Service - 1-800-298-2207.

DEP on the World Wide Web: <http://www.mass.gov/dep>



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Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this Recommended Final Decision or any portion of it, and no party shall communicate with the Commissioner's office regarding this decision unless the Commissioner, in her sole discretion, directs otherwise.

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Ann Lowery
Presiding Officer

Adopted by Acting Commissioner Arleen O'Donnell April 4, 2007.